

YOUTH SERVICES POLICY

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| Title: Use of Interventions - Community Based Services Next Annual Review Date: 11/03/2012 | Type: D. Community Based Services Sub Type: 10. Supervision Number: D.10.12 |
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| References: La. Children's Code, Arts. 412 I and 412 J, ACA Standards 2-7162, 2-7163, 2-7164, 2-7166, 2-7167, 2-7168, 2-7169 (Juvenile Probation and Aftercare Services); YS Policies A.2.19 "Special Agents", C.1.8 "Firearms Training" | |
| STATUS: Approved | |
| Approved By: Mary L. Livers, Deputy Secretary | Date of Approval: 11/03/2011 |

I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish the procedures for training of CBS staff on the proper use of interventions and when the use of interventions is authorized.

III. APPLICABILITY:

Deputy Assistant Secretary - Community Based Services, Regional Managers and employees of Community-Based Services.

IV. DEFINITIONS:

Agency - Youth Services, Office of Juvenile Justice (YS, OJJ).

Community- Based Services (CBS) - formerly known as the Division of Youth Services, includes the regional probation and parole offices located throughout the state.

Chemical agent -- any product which is dispensed by means of an aerosol spray to control an individual's combative and/or resistive behavior.

Deputy Assistant Secretary - Community-Based Services - unit head of regional office staff.

Force - a physical or mechanical intervention that causes someone to act in a manner contrary to his intent or causes him to change his behavior to a desired action or to more desirable conduct.

Juvenile Electronic Tracking System (JETS) - the centralized database utilized to track all youth in OJJ custody or under OJJ supervision.

Mechanical Restraints – YS approved handcuffs, handcuff belts/chains, and leg irons.

Physical Intervention - a use of force which involves the application of approved techniques or restraints by a staff member to physically restrain a youth whose behavior is presenting an unsafe situation.

PPCT Defensive Tactics System (PPCT) – a researched based use of force subject control system developed through tactical, legal and medical research.

Probation and Parole Officer 1, 2, and 3/Juvenile (PPO/J) - includes CBS probation officers.

Professional staff – includes CBS staff in the probation and parole series (Probation and Parole Officer/Juvenile, Probation and Parole Supervisor/Juvenile, Probation and Parole Regional Manager/Juvenile, Probation and Parole Program Specialist/Juvenile and Probation and Parole Program Manager/Juvenile).

Secure Facility - any juvenile detention center, secure facility for youth, adult jail, lockup, or prison.

Transport Officer – an employee whose main function is transporting and has been trained in PPCT (including expandable baton), use of chemical agents, officer survival and adolescent behavior.

Unusual Occurrence Report (UOR) - a UOR is a document that must be completed by any staff involved in a use of force incident, any staff that witnesses such an incident, any staff that is in the area of such an incident, and any staff who is told by a youth of such an incident. A UOR must also be completed by staff witnessing any occurrence out of the ordinary, regardless of the magnitude of that occurrence.

V. POLICY:

It is the Deputy Secretary's policy that all professional employees and Transport Officers of Community-Based Services (CBS) shall receive a minimum of 40 hours of training in PPCT Defensive Tactics System, including the use of an expandable baton. All professional staff, excluding Transport Officers, shall include weapon retention training. A sixteen hour in-service training in PPCT techniques shall be completed in each subsequent year.

VI. PROCEDURES:

- A. Reasonable efforts shall be made to control the situation prior to the use of a physical intervention. In the event an intervention becomes necessary, only CBS employees who have completed PPCT training may use mechanical restraints, chemical agents and expandable batons. YS approved mechanical restraints, chemical agents and expandable batons may be used. Tasers are not approved for use by YS, OJJ staff.

- B. Principles of escalation and de-escalation shall be used when considering the threat. Uses of control shall never be used as a means of punishment. As the level of control use by staff increases, the risk of officer and/or youth injury increases.
- C. Use of mechanical restraints on pregnant youth shall be limited to hand restraints only.
- D. Use of an intervention is authorized only in the following circumstances:
 - 1. In self-defense, when physically attacked or when the possibility of such an attack is imminent;
 - 2. In defense of a third person who is physically threatened by a youth;
 - 3. Prevention of a crime, including criminal damage to property;
 - 4. Prevention of escape or runaway;
 - 5. Preventing a youth from inflicting self-harm; or
 - 6. A passive resistant youth.
- E. In accordance with the use of force principals taught in the PPCT Resistance/Control Continuum, the employee may exercise one level of control higher than the level of resistance encountered. Verbal commands to gain compliance should be exhausted prior to use of approved techniques within the control continuum on a passive resistant youth.
- F. Use of an intervention shall be documented on a UOR form in the youth's JETS record or (Attachment C.2.6(b)) and reviewed by the PPS/J and Regional Manager with copies to the Deputy Assistant Secretary—CBS, or designee. Use of mechanical restraints during routine transportation of youth (i.e., to/from secure care, non-secure program, pre-placement interviews, court or medical appointments) do not require a UOR.
- G. Chemical agents may be used within the resistance/control continuum to bring a youth into compliance for combative and/or resistive behavior. Employees must be trained in the use of chemical agents prior to use. The minimum amount of chemical agent necessary to bring the youth into compliance shall be used. Once the youth is compliant, he shall be given the opportunity to flush the agent off of his face.
- H. Timeline for UOR reporting to the employee's supervisor:
 - 1. Discharge of a weapon (other than authorized training) shall be reported as soon as possible;
 - 2. Unholstering/Drawing a weapon (other than authorized training) shall be reported within two working days; and
 - 3. Use of chemical agent shall be reported by close of the next working day (immediately if there is an injury).

- I. A PPO/J shall take physical custody of a youth only if the youth has been placed in YS, OJJ custody or on the explicit order of the court. The assistance of local law enforcement may be requested when taking physical custody of a youth.
- J. YS, OJJ staff shall assist law enforcement in the apprehension of alleged delinquents by sharing identifying information.
- K. Additional procedures regarding the use of interventions are found in YS Policies A.2.19 and C.1.8.

VII. POLICY VIOLATION:

Employees who violate this policy shall be subject to disciplinary action and may be required to attend additional training at the Unit Head's discretion. The training shall be in addition to any regularly-scheduled training the employee is required to attend.

Previous Regulation/Policy Number: D.10.12

Previous Effective Date: 06/10/2011

Attachments/References: